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Attorneys for Plaintiff
PATRICIA GEIB

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICIA GEIB,

Plaintiff,

v.

COUNTY OF MARIN; MARIN COUNTY
SHERIFF'S DEPARTMENT; KEN CANZIANI,
and DOES 1 through 50,
Defendants.

Case No.: USDC 08-CV00346 TEH

STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING CASE MANAGEMENT
CONFERENCE AND DEADLINE TO
SERVE INITIAL DISCLOSURES

IT IS HEREBY STIPULATED by and between the parties to extend the Case Management Conference to May 12, 2008. The parties have also agreed to extend the time for exchanging Initial Disclosures to May 7, 2008.

There is good cause for the stipulation to extend time as follows:

- Substitution of Attorneys: Defendant Canziani is presently represented by the Marin County Counsel's office. However, defendant Canziani is in the process of retaining independent defense counsel to represent him in this matter, including the preparation

1 and filing of a substitution of attorneys. The parties anticipate that such a substitution will
2 be filed within the next two weeks. Accordingly, this additional time is necessary for
3 defendant Canziani's new attorneys to make an appearance in this action, and meet and
4 confer regarding discovery, initial disclosures, and other required matters prior to the
5 Case Management Conference;

- 6 • Unavailability of Lead Trial Counsel: Furthermore, good cause exists to extend these
7 deadlines as the lead trial counsel for defendant County of Marin has a pre-scheduled
8 vacation on the date of the Case Management Conference, and, as a result, will be unable
9 to attend the hearing. The parties agree that lead trial counsel participation is necessary
10 to conduct a productive Case Management Conference;
- 11 • Dismissal of Defendant Marin County Sheriff's Department: Good cause further exists in
12 that the parties are presently meeting and conferring regarding the dismissal of defendant
13 Marin County Sheriff's Department, including a stipulation that defendant County of
14 Marin (as opposed to defendant Sheriff's Department) was the "employer" of plaintiff for
15 purposes of this action. The parties anticipate that they will reach such a stipulation by
16 May 1, 2008;
- 17 • Judicial Economy: The parties are not making this request for any improper purpose,
18 including undue delay. Instead, the parties agree that judicial economy will be served if
19 this request is granted. In particular, in light of the imminent substitution of attorneys,
20 any further meet and confer regarding initial disclosures and a discovery plan would likely
21 be premature, and, as such, the presently scheduled Case Management Conference will
22 likely be unproductive. Likewise, judicial economy will be served through a stipulation to
23 dismiss defendant Sheriff's Department. Once a stipulation is reached, the parties will not
24 have to burden the Court's time, or the parties' attorney's fees and costs, in conducting
25 discovery and preparing motions pertaining to which entity is the appropriate "employer"
26 for purposes of this litigation.

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28 ///

1
2 **SO STIPULATED.**

3
4 **Dated:** _____

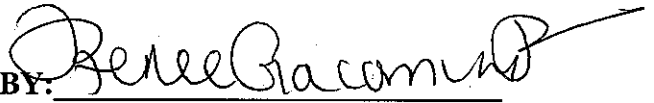
KAHN, BROWN & POORE

5
6 **BY:** _____

7 **DAVID POORE**
8 **Attorney for Plaintiff**

9
10 **Dated: April 11, 2008**

PATRICK K. FAULKNER
MARIN COUNTY COUNSEL

11
12 **BY:** 

13 **RENEE GIACOMINI BREWER**
14 **Attorney for Defendant County of Marin**

15
16
17 **PROPOSED ORDER**

18
19 **THE COURT HEREBY ORDERS AS FOLLOWS:**

20 **The parties' request to extend the time for Case Management conference to May 12, 2008, is**
21 **Granted. The parties' request to extend time for initial disclosures to May 7, 2008 is Granted.**

22 **DATED:** _____

23
24 **JUDGE THELTON E. HENDERSON**

1
2 **SO STIPULATED.**

3
4 Dated: 4/11/2008

KAHN, BROWN & POORE

5
6 BY: David M Poore / SP
7 **DAVID POORE**
8 Attorney for Plaintiff

9
10 Dated: April 11, 2008

PATRICK K. FAULKNER
MARIN COUNTY COUNSEL

11
12 BY: Renee Giacomini
13 **RENEE GIACOMINI BREWER**
14 Attorney for Defendant County of Marin

15
16
17 **~~PROPOSED~~ ORDER**

18
19 **THE COURT HEREBY ORDERS AS FOLLOWS:**

20 The parties' request to extend the time for Case Management conference to May 12, 2008, is
21 Granted. The parties' request to extend time for initial disclosures to May 7, 2008 is Granted.

22 DATED: 04/15/08

23
24 **JUDGE THELTON E. HENDERSON**

